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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES LIFE INSURANCE)	
COMPANY IN THE CITY OF NEW YORK,)	
)	
Plaintiff,)	
)	
v.)	No. 07 C 3198
)	
ANDREA MAYSTER-LEVIN,)	
)	
Defendant.)	
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ANDREA MAYSTER-LEVIN,)	
)	
Plaintiff,)	
)	
v.)	No. 07 C 3225
)	
UNITED STATES LIFE INSURANCE)	
COMPANY IN THE CITY OF NEW YORK,)	
)	
Defendant.)	

MEMORANDUM ORDER

These two actions were coincidentally filed on the same day, with the lower-numbered case being assigned to this Court's calendar and the higher-numbered case to the calendar of this Court's colleague Honorable Ruben Castillo under this District Court's random assignment system. With Judge Castillo's concurrence, this Court has obtained a June 22, 2007 order from the Executive Committee reassigning Case No. 07 C 3225 to this Court's calendar on relatedness grounds pursuant to LR 40.4. And because each case is simply the mirror image of the other, this Court has also entered an order for consolidation pursuant to Fed. R. Civ. P. ("Rule") 42(a).

Under the circumstances, no useful purpose will be served by the continued maintenance of these as two separate lawsuits rather than one. Instead this Court sua sponte:

1. directs that the Complaint in Case No. 07 C 3225 be treated as a Counterclaim in Case No. 07 C 3198 (without the need for any further filing or paperwork in that respect other than the entry of this memorandum order) and dismisses Case No. 07 C 3225 without prejudice;

2. orders that the due date for what, under Rule 7(a), will now be the reply to such counterclaim by United States Life Insurance Company in the City of New York shall be the same as the date on which its responsive pleading to the 07 C 3225 Complaint would have been due; and

3. retains the previously-scheduled 9 a.m. August 2, 2007 status hearing date in Case No. 07 C 3198 as now applicable to the two actions that are now converted into a single lawsuit.

If in the view of counsel for either litigant there are any other procedural steps that would further simplify the progress of this litigation, counsel are free to bring a motion to that effect before this Court in advance of the August 2 date.



Milton I. Shadur
Senior United States District Judge

Date: June 27, 2007